

Message Text

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TO SECSTATE WASHDC IMMEDIATE 7284
INFO AMEMBASSY LONDON PRIORITY
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E.O.11652:XGDS-3
TAGS: PARM US UK UR
SUBJECT: CTB NEGOTIATIONS: UK PLENARY STATEMENT, MARCH 15

CTB MESSAGE NO.175
NQU FMLLOWING IS STATEMENT DELIVERED BY CRADOCK (UK) AT
PLENARY MEETING HELD MARCH 15:

BEGIN TEXT: 1. IN MY PRELIMINARY REMARKS ON DR.
MOROKHOV'S STATEMENT ON 10 MARCH, I SAID THAT THE UK
DELEGATION WOULD STUDY IN DETAIL ALL THE POINTS HE MADE
ABOUT ON-SITE INSPECTIONS AND WOULD GIVE OUR REACTIONS AT
SOME LATER DATE. I CAN NOW GIVE MY DELEGATION'S CONSIDER-
ED RESPONSE.

2. IT SEEMS TO ME THAT THE ON-SITE INSPECTION PROBLEM CAN
USEFULLY BE DIVIDED INTO 5 SEPARATE BUT INTER-RELATED
PARTS, WHICH CAN BEST BE DESCRIBED BY 5 QUESTIONS:-

A. WHAT IS THE OBJECTIVE OF AN ON-SITE INSPECTION?

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B. HOW SHOULD AN EVENT WHICH QUALIFIES FOR AN ON-SITE
INSPECTION BE DEFINED?

C. WHAT EVIDENCE NEEDS TO BE ADVANCED IN SUPPORT OF A
REQUEST FOR AN ON-SITE INSPECTION?

D. WHAT SHOULD BE THE PROCEDURES FOR DEALING WITH REQUESTS FOR ON-SITE INSPECTIONS?

E. WHAT SHOULD BE THE RIGHTS AND FUNCTIONS OF THE PARTIES IF A REQUEST FOR AN ON-SITE INSPECTION IS ACCEPTED?

IT WILL, I BELIEVE, ASSIST OUR MUTUAL UNDERSTANDING IF WE EXAMINE EACH OF THESE QUESTIONS IN TURN.

OBJECTIVE OF AN ON-SITE INSPECTION

3. IN A TECHNICAL WORKING GROUP ON 3 MARCH, THE UK DELEGATION DEFINED THE OBJECT OF AN ON-SITE INSPECTION IN THE FOLLOWING TERMS, "... AN ON-SITE INSPECTION IS TO PROVIDE ADDITIONAL EVIDENCE TO CLARIFY THE TRUE NATURE OF AN EVENT WHICH, ON THE BASIS OF EVIDENCE FROM SEISMIC SOURCES AND/OR NATIONAL TECHNICAL MEANS, COULD HAVE BEEN EITHER A NATURAL EVENT OR A NUCLEAR EXPLOSION". THE SOVIET DELEGATION PROPOSED ON 10 MARCH THAT "THE AIM OF AN INSPECTION SHOULD BE CONVINCING ONESELF THAT AN AMBIGUOUS SEISMIC EVENT WAS NOT CAUSED BY AN UNDERGROUND NUCLEAR EXPLOSION". THESE 2 STATEMENTS APPEAR TO REFLECT A DIFFERENCE IN EMPHASIS. THE SOVIET STATEMENT ASSUMES THAT AN EVENT ABOUT WHICH DOUBTS HAVE ARISEN CANNOT HAVE BEEN CAUSED BY AN UNDERGROUND NUCLEAR EXPLOSION. IF THIS WERE SO, THEN THERE WOULD BE NO NEED FOR ON-SITE INSPECTIONS. THE UNITED KINGDOM FORMULATION OF THE PURPOSES OF AN ON-SITE
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INSPECTION IS MORE EVEN HANDED AND RECOGNIZES THAT AN INSPECTION IS NEEDED TO HELP RESOLVE DOUBTS ABOUT WHETHER AN UNIDENTIFIED EVENT WAS DUE TO NATURAL CAUSES OR TO A NUCLEAR EXPLOSION. WHILE WE AGREE THAT THERE MAY BE A PRESUMPTION THAT AN EVENT HAS A NATURAL EXPLANATION, WE SHOULD NOT RULE OUT THE POSSIBILITY THAT A NUCLEAR EXPLOSION HAS OCCURRED.

4. THE SOVIET DELEGATION WILL HAVE NOTED THAT OUR DEFINITION CONTRASTS A NATURAL EVENT WITH A NUCLEAR EXPLOSION. THIS IS DELIBERATE. WE ARE NOT SEEKING TO USE ARRANGEMENTS FOR ON-SITE INSPECTIONS TO INVESTIGATE ANY SOVIET INDUSTRIAL, TECHNICAL OR CULTURAL ACTIVITY WHICH HAS NO RELATION TO TREATY COMPLIANCE. WE DO NOT SEEK IN ANY WAY TO PREJUDICE SOVIET SECURITY BY MEANS OF ON-SITE INSPECTIONS. WE BELIEVE THAT THE UNDERSTANDABLE SOVIET SECURITY CONCERNS SHOULD BE SATISFIED BY RESTRICTING THE PURPOSE OF AN ON-SITE INSPECTION TO AN INVESTIGATION INTO WHETHER THE CAUSE OF AN UNIDENTIFIED EVENT WAS NATURAL OR A NUCLEAR EXPLOSION.

5.THERE IS ONE OBVIOUS DEFECT IN OUR DEFINITION. IT MAKES

NO PROVISION FOR LARGE-SCALE CHEMICAL EXPLOSIONS. WE
RECOGNIZE THIS DEFECT AND AGREE THAT WE NEED TO MAKE
SPECIAL ARRANGEMENTS FOR DEALING WITH SUCH CHEMICAL EX-
PLOSIONS. IN DUE COURSE THIS WILL BECOME A SUITABLE TOPIC
FOR DISCUSSION IN THE TECHNICAL WORKING GROUP.

DEFINITION OF AN ON-SITE INSPECTION EVENT

6. THE UK DELEGATION FINDS NO DIFFICULTY IN DEFINING THE

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TYPE OF AN EVENT WHICH CAN QUALIFY FOR AN ON-SITE INSPEC-
TION. IT IS AN EVENT WHICH, ON THE BASIS OF THE EVIDENCE
AVAILABLE TO THE REQUESTING PARTY, COULD HAVE BEEN A
POSSIBLE UNDERGROUND NUCLEAR EXPLOSION. IN OUR VIEW, NO
OTHER EVENT CAN QUALIFY AS THE SUBJECT FOR AN ON-SITE
INSPECTION REQUEST. THERE MAY BE MANY OTHER MATTERS
AFFECTING TREATY COMPLIANCE WHICH CALL FOR CONSULTATION
BETWEEN THE PARTIES TO THE SEPARATE AGREEMENT BUT THE
ON-SITE INSPECTION PROVISIONS MUST BE SPECIFICALLY
RESTRICTED TO POSSIBLE UNDERGROUND NUCLEAR EXPLOSIONS.
WE PREFER TO REFER DIRECTLY TO UNDERGROUND NUCLEAR EXPLO-
SIONS IN THIS CONTEXT. THE SOVIET DELEGATION HAS ALWAYS
REFERRED TO A SEISMIC EVENT. WE FIND THAT THIS TERM LACKS
CLARITY. IT COULD MERELY MEAN AN UNDERGROUND EVENT; OR
IT COULD MEAN AN EVENT WHICH CREATES A SEISMIC DISTURBANCE;

OR IT COULD MEAN AN EVENT WHICH CREATES A SIGNAL WHICH CAN
ACTUALLY BE DETECTED BY A SEISMOGRAPH LOCATED EITHER
INTERNALLY OR EXTERNALLY TO THE COUNTRY IN WHICH THE
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EVENT OCCURS. OUR PROPOSAL AVOIDS THESE AMBIGUITIES.

EVIDENCE TO SUPPORT A REQUEST FOR AN ON-SITE INSPECTION

7. THE UK DELEGATION HAS AN EQUALLY SIMPLE APPROACH
TOWARDS THE PROBLEM OF DEFINING THE EVIDENCE NEEDED TO
SUPPORT A REQUEST FOR AGREEMENT TO CARRY OUT AN ON-SITE
INSPECTION. IN CONFORMITY WITH THE VOLUNTARY PRINCIPLE
WHICH WE HAVE ACCEPTED FOR ARRANGING ON-SITE
INSPECTIONS, IT IS OUR BASIC POSITION THAT THERE SHOULD
BE NO PRE-SET CRITERIA DETERMINING THE NATURE OR QUALITY
OF THE EVIDENCE REQUIRED TO SUBSTANTIATE A REQUEST FOR AN
ON-SITE INSPECTION. IN OUR VIEW, BECAUSE THE REQUESTED
PARTY WILL BE FREE TO ACCEPT OR REJECT AN ON-SITE
INSPECTION REQUEST, THE REQUESTING PARTY SHOULD BE FREE
TO SUBMIT ANY EVIDENCE IT CONSIDERS TO BE RELEVANT TO ITS
REQUEST. AS MR. EDMONDS SAID ON 30 JANUARY, A REQUEST
FOR AN ON-SITE INSPECTION MUST NOT BE MADE LIGHTLY. BY
THE SAME TOKEN, A REQUEST FOR AN ON-SITE INSPECTION MUST
NOT BE ARBITRARILY REFUSED. BUT, IN THE LAST RESORT, EACH
PARTY HAS ITS OWN SAFEGUARDS. THE REQUESTING PARTY IS
FREE TO MAKE A REQUEST WHEN IT HAS SERIOUS DOUBTS ABOUT
WHETHER AN UNDERGROUND NUCLEAR EXPLOSION HAS OCCURRED.
AND THE REQUESTED PARTY HAS THE FINAL RIGHT TO DECIDE
WHETHER THE REQUEST IS OR IS NOT ACCEPTED.

8. THE UK DELEGATION CONSIDERS THAT, AS BETWEEN NUCLEAR
WEAPON STATES, THERE SHOULD BE THIS FREEDOM TO MAKE
REQUESTS FOR ON-SITE INSPECTIONS AND THIS RIGHT TO ACCEPT
OR REJECT THESE REQUESTS.. THERE IS, HOWEVER, THE PROBLEM
OF ENSURING THAT THE ARRANGEMENTS WE MAKE BETWEEN US SHOULD
NOT BE USED BY NON-NUCLEAR WEAPON STATES AS A BASIS FOR
MAKING TRIVIAL, HARRASSING OR MISCHIEVOUS REQUESTS OF THE
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NUCLEAR WEAPON STATES FOR ON-SITE INSPECTIONS. WE ALL
HAVE AN INTEREST IN DISCOURAGING SUCH REQUESTS. WE ARE
READY TO DISCUSS HOW WE MIGHT SATISFY OUR COMMON CONCERNS,
PERHAPS IN THE POLITICAL WORKING GROUP.

PROCEDURES FOR PROCESSING AN ON-SITE INSPECTION REQUEST

9. BOTH THE SOVIET AND UNITED STATES DELEGATIONS HAVE MADE PROPOSALS ABOUT THE PROCEDURES TO BE FOLLOWED IN PROCESSING A REQUEST FOR AN ON-SITE INSPECTION. IN THEIR WORKING PAPERS, BOTH DELEGATIONS PROVIDE THAT THE PARTIES SHALL CONSULT PROMPTLY ABOUT AN EVENT WHICH RAISES DOUBTS OR QUESTIONS REGARDING TREATY COMPLIANCE. WE AGREE THAT THIS IS AN ESSENTIAL FIRST STEP. IN THEIR WORKING PAPERS, BOTH DELEGATIONS ALSO ENVISAGE THAT IN THE COURSE OF THE CONSULTATIONS, THE PARTY SEEKING CLARIFICATION OF THE NATURE OF THE QUESTIONABLE OR DOUBTFUL EVENT MAY REQUEST AN ON-SITE INSPECTION. AGAIN WE AGREE. THE WORKING PAPERS GO ON TO AGREE THAT FOLLOWING A REQUEST FOR AN ON-SITE INSPECTION THE PARTIES SHALL CONTINUE TO CONSULT ABOUT THE DETAILS OF THE REQUEST. BUT THEY DIVERGE WHEN THEY COME TO DISCUSS WHAT THESE DETAILS SHOULD BE.

10. THIS DIVERGENCE CENTERS ON HOW TO DEAL WITH SITES OR FACILITIES WITHIN THE AREA PROPOSED FOR THE ON-SITE INSPECTION WHICH HAVE A SECURITY SENSITIVITY TO THE POTENTIAL HOST PARTY. THE AMERICAN DELEGATION PROPOSES THAT THESE SECURITY SENSITIVE AREAS SHALL BE DECLARED BEFORE FINAL AGREEMENT IS REACHED ON THE ON-SITE INSPECTION REQUEST. THE SOVIET DELEGATION, ON THE OTHER HAND, PROPOSES TO DEFER THIS DECLARATION UNTIL AFTER AN ON-SITE INSPECTION REQUEST HAS BEEN ACCEPTED. CLEARLY THE REQUESTING PARTY NEEDS TO KNOW THE AREA IN WHICH IT WILL BE ALLOWED TO OPERATE BEFORE IT CAN DECIDE WHETHER AN ON-SITE INSPECTION IS WORTHWHILE. EQUALLY, THE REQUESTED PARTY WILL NOT WISH TO SPECIFY ITS SECURITY SENSITIVE AREAS

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BEFORE IT IS ASSURED THAT AN INSPECTION IS WARRANTED AND IS GOING TO TAKE PLACE. HENCE WE HAVE A REAL DILEMMA.

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ON THE ONE HAND THE REQUESTING PARTY REQUIRES THAT THE
ON-SITE INSPECTION WILL NOT BE FRUSTRATED BY SECURITY
OBJECTIONS AND, ON THE OTHER HAND, THE REQUESTED PARTY HAS
TO PROTECT ITS LEGITIMATE SECURITY INTERESTS.

11. THE RESOLUTION OF THIS PROBLEM DEMANDS RESPONSIBLE
BEHAVIOUR FROM BOTH PARTIES. THE REQUESTING PARTY MUST
NOT MAKE DEMANDS WHICH ARE KNOWN TO THREATEN THE HOST
PARTY'S SECURITY INTERESTS AND THE REQUESTED PARTY MUST
NOT RAISE SECURITY OBJECTIONS UNLESS THEY ARE REALLY
VITAL. WE BELIEVE THAT THE DIFFICULTY CAN BE OVERCOME BY
SENSIBLE CONSULTATION IN THE JOINT CONSULTATIVE COMMISSION
WHERE WE SEE ON-SITE INSPECTION REQUESTS BEING CONSIDERED.
THE DEFINITION OF THE INSPECTION AREA SHOULD EMERGE FROM
THESE CONSULTATIONS WITHOUT PREJUDICE TO EITHER SIDE'S
INTERESTS.

RIGHTS AND FUNCTIONS OF DESIGNATED PERSONNEL
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12. AN ESSENTIAL ELEMENT OF THE UNITED KINGDOM ACCEPTANCE
OF ON-SITE INSPECTIONS ARRANGED ON A VOLUNTARY BASIS IS
THAT THE RIGHTS AND FUNCTIONS OF THE PERSONNEL DESIGNATED
TO CARRY OUT AN AGREED INSPECTION SHALL BE ESTABLISHED IN
ADVANCE. IT WOULD NOT BE ACCEPTABLE TO DEFER A DECISION
ON THESE RIGHTS AND FUNCTIONS UNTIL SUCH TIME AS AN ON-
SITE INSPECTION IS AGREED, AS PROPOSED BY THE SOVIET DELE-
GATION. WE NEED AN ASSURANCE THAT DESIGNATED PERSONNEL
WOULD BE AUTHORISED TO CARRY OUT THEIR DUTIES IN A TIMELY
FASHION IN ACCORDANCE WITH ESTABLISHED PROCEDURES. WE
WOULD NOT HAVE THIS ASSURANCE IF AGREEMENT ON THEIR RIGHTS
AND FUNCTIONS HAD TO BE REACHED IN THE JOINT CONSULTATIVE
COMMISSION ON AN AD HOC BASIS BEFORE EACH INSPECTION
COULD BEGIN. THE US DELEGATION HAS PROPOSED A SET OF

RIGHTS AND FUNCTIONS WHICH APPEAR TO US TO PROVIDE A SENSIBLE BASIS FOR DISCUSSION. DR. MOROKHOV HAS CRITICISED THEM ON A NUMBER OF GROUNDS. IN PARTICULAR HE SAYS THAT THE RIGHTS AND FUNCTIONS OF THE HOST PARTY ARE INADEQUATELY CATERED FOR. WE ARE VERY READY TO CONSIDER ANY SUGGESTIONS HE MAY MAKE FOR STRENGTHENING THE PROPOSALS IN THIS REGARD.

13. THE SOVIET DELEGATION ALSO PROPOSES THAT THE EQUIPMENT NEEDED TO CARRY OUT VISUAL AND RADIATION SURVEYS SHOULD NOT BE SPECIFIED IN ADVANCE BUT SHOULD BE SUBJECT TO AD HOC AGREEMENT IN THE JOINT CONSULTATIVE COMMISSION. WE FIND THIS SURPRISING. THE EQUIPMENT NEEDED FOR SUCH SURVEYS CAN BE DEFINED NOW. IT IS OUR POSITION THAT IT SHOULD BE SO DEFINED IN THE SEPARATE AGREEMENT AND THAT ITS USE SHOULD BE AUTHORISED IN ADVANCE FOR POSSIBLE EMPLOYMENT ON ALL ON-SITE INSPECTIONS. IN SHORT WE ARE SEEKING THAT THE SEPARATE AGREEMENT SHOULD LICENCE THE USE
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OF CERTAIN EQUIPMENT; WHETHER OR NOT IT WOULD BE EMPLOYED IN A PARTICULAR CASE WOULD DEPEND UPON THE CIRCUMSTANCES. HEREIN LIES THE FLEXIBILITY IN OUR POSITION.

14. THE SOVIET DELEGATION HAS AGREED THAT VISUAL AND RADIATION SURVEYS FORM A NECESSARY PART OF AN ON-SITE INSPECTION. IN SO DOING THEY ENDORSE THE MAJOR PART OF THE EXPLANATION GIVEN BY THE UK DELEGATION AT A TECHNICAL WORKING GROUP MEETING ON HOW AN ON-SITE INSPECTION MIGHT PROCEED. WE WOULD CONTINUE TO ARGUE THAT AN ON-SITE INSPECTION TEAM SHOULD ALSO BE EQUIPPED WITH METAL DETECTION EQUIPMENT AND WITH A PORTABLE SEISMOGRAPH FOR USE IN PINPOINTING WHERE EITHER AN EARTHQUAKE OR A POSSIBLE UNDERGROUND NUCLEAR EXPLOSION HAS OCCURRED. THESE ARE POSSIBILITIES WHICH DESERVE FURTHER DISCUSSION ONCE WE HAVE AGREED THE PRINCIPLES OF THE PROVISIONS FOR THE RIGHTS AND FUNCTIONS OF DESIGNATED PERSONNEL.

15. IN THE US DELEGATION PROPOSALS, PROVISION FOR MORE EXTENSIVE ON-SITE INSPECTION OPERATIONS IS MADE SUBJECT TO AD HOC AGREEMENT IN RESPECT OF INDIVIDUAL ON-SITE INSPECTION REQUESTS. DR. MOROKHOV DID NOT REFER TO THESE SUPPLEMENTARY OR SECOND TIER ARRANGEMENTS IN HIS STATEMENT ON 10 MARCH, AND I HOPE THAT THIS MEANS THAT THE GENERAL IDEA IS ACCEPTABLE TO THE SOVIET DELEGATION.

CONCLUSIONS

16. THIS REVIEW OF THE POSITION WE HAVE REACHED ON THE PROBLEMS OF ON-SITE INSPECTION ON THE WHOLE ENCOURAGES ME.

I HAVE TRIED TO SET OUT THE UNITED KINGDOM POSITION IN THE
LIGHT OF THE STATEMENT FROM THE SOVIET DELEGATION LAST
FRIDAY. I DO NOT FIND THAT WE ARE TOO FAR APART ON MOST
OF THE ISSUES. WE TOO ARE MOTIVATED TO FIND PRACTICAL
SOLUTIONS AND WE WELCOME THE IDEA THAT THESE SHOULD BE
SOUGHT IN APPROPRIATE WORKING GROUPS. END TEXT. WARNKE
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